

**REMARKS**

Claims 1-23 are pending in this application with claims 1, 6 and 9 being amended and claims 21-23 being added by this response. Claims 1, 6 and 9 have been amended to clarify that the first and second cell arrangements each has a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable. Support for this amendment is provided throughout the specification and specifically in Figures 17 and 18 and the corresponding description in the specification as well as on Page 8, lines 15-30. New claims 21-23 have been added and recite that “activity of adjusting dimensions adjusts a width of only cells in a same row as said selected cell or a length of only cells in a same column as said selected cell”. Support for new claims 21-23 can be found in Figures 3, 4 and 16 and the corresponding description in the specification.

**Rejection of Claims 1, 2, 4 – 8, 14, 15 and 17 - 20 under 35 U.S.C. § 103(a)**

Claims 1, 2, 4 – 8, 14, 15 and 17 – 20 are rejected under 35 U.S.C. §103(a) as being unpatentable by Gauthier et al. (U.S. Patent Application No. 2002/0036662) in view of Roewer (U.S. Patent Application No. 5,734,915).

The present claimed invention provides a method in a computer system for presenting, under the control of a user, a display of information. Instructions are received from the user to select a tabular format. In response thereto, a single menu of a plurality of different user selectable data selections is displayed to the user. The data selections includes a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format. The first and second cell arrangements each has a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable. The dimensions of a selected

cell within a selected one of the plurality of user selectable cell arrangements is adjusted to permit display of a data selection. Independent Claims 1 and 6 each include similar limitations to those discussed above and thus all arguments apply to both of these claims.

Gauthier et al. describe a method for allowing a user to “graphically create a refreshable Web Query by selecting tabular data displayed in a Web page.” The Office Action fundamentally misunderstands and misinterprets both the claims of the present invention as well as Gauthier. The Office Action asserts that Gauthier, in Figure 10 shows the claimed activity of “displaying to the user a menu” as in the present claimed invention. Contrary to the assertion of the Office Action, Figure 10 and the corresponding text disclose “tabular data 1025, of which a subset 1030 has been selected to be imported into a MICROSOFT EXCEL 2002 worksheet as a Web query using a pointing device 1035.” Alternatively, “the entire tabular data 1020 might also be selected to be pasted into the MICROSOFT EXCEL 2002 worksheet.” This figure merely shows selection of data from a table in a web page. The office action is correct in stating “each row [of cells] is a cell arrangement.” However, each row of cells in Gauthier forms the same cell arrangement. This is wholly unlike the present claimed invention which displays “to the user a single menu of a plurality of different user selectable data selections comprising a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format, **said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable**”.

As previously discussed in the response filed on January 9, 2006, Gauthier neither discloses nor suggests a “single menu” enabling user selection of a “first data selection including a first predetermined, fixed user selectable cell arrangement” (e.g., having a first number of cells per row) for display in tabular format and a “second data

selection including a second different predetermined, fixed user selectable cell arrangement" (e.g., having a different second number of cells per row) for display in tabular format as in the present claimed invention. The Office Action further erroneously contends that if the data entered within cells in a row differs, then inherently the cell arrangement of each row differs. In fact, the conclusion reached by the Office Action only yields a different cell arrangement if the user chooses the cells based on the data contained therein. This is wholly unlike the present claimed invention which includes "a single menu of a plurality of different user selectable data selections" therein. Furthermore, according to the universally accepted definitions of the terms "cell" and "arrangement", the menu of data selections of the present claimed invention provides a plurality of cells in a state of being put into a deliberate order or relation. The claimed "cell arrangement" thus has no relation to the data input into particular cells as asserted in the Office Action. Furthermore, Gauthier while providing a number of selectable menus neither discloses nor suggests a "menu of a plurality of different user selectable data selections comprising a first...arrangement...and a different second...arrangement" as in the present claimed invention. In Gauthier the user is always provided with the same single uniform cell arrangement or grid which may be manipulated thereafter by the user. This is clearly unlike the "data selections" of the present claimed invention including "a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format".

Roewer describes a method for composing digital medical imagery in which a graphical user interface which allows a user to edit and print a set of images presented. The graphical user interface provides users a pull-down menu to select the number and arrangement of frames for displaying images. However, similarly to Gauthier, Roewer neither discloses nor suggests "displaying to the user a single menu of a plurality of different user selectable data selections comprising a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format, **said first and second cell arrangements each having a user selectable number of cells**

**per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable**" as claimed in claim 1 of the present invention. Roewer is concerned with displaying multiple images using a plurality of frames in a **grid-like** arrangement. This is unlike the present claimed invention which is concerned with providing first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable.

Applicants respectfully submit that there is no reason or motivation to combine Gauthier with Roewer. Gauthier describes a method and system for creating refreshable web queries from tabular data displayed on a web page. Roewer describes a method for composing digital medical imagery in which a graphical user interface allows a user to edit and print a set of images. These references are responsive to different problems and thus it is respectfully submitted that the combination of these references to produce the present claimed invention would not be obvious. Gauthier involves making the creation of a "Web Query simpler and more intuitive for the average user" (page 2 [0009]). Roewer, on the other hand, provides "a graphic user interface for medical imagery...to provide increased speed and efficiency in imagery manipulation" (page 2, column 4, lines 35-44).

Even if there was a motivation to combine these two references, the combination of the system of Gauthier with the system of Roewer would not produce the present invention as claimed in claim 1. Instead, the system resulting from the above combination would yield a system that allows a user to select image data displayed in a web page to create a web query and choose a grid-like arrangement of frames for the selected image data to be edited therein. This is wholly unlike the present claimed invention and provides no common problem recognition with the present claimed invention. Specifically, the present claimed invention recites "displaying to the user a single menu of a plurality of different user selectable data

selections comprising a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format, said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable". The combined system of Gauthier and Roewer requires the user to display image data in a restricted grid-like arrangement and neither discloses nor suggests "first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable" as in the present claimed invention. Consequently, it is respectfully submitted that amended claim 1 is patentable over the cited references when taken alone or in combination.

Regarding claim 6, the Office Action contends that Figure 4, ref. 340 of Gauthier shows "selecting one of the predefined tables" and Figure 5 shows "displaying the user selectable cell arrangement defined by the predefined table" of the present claimed invention. Figure 4 shows a screen display of a New Web Query window in MICROSOFT EXCEL 2002 including data in a table selected from a web page. And ref. 340 of Figure 4 indicates "click to select this table." The table of Figure 4 neither shows nor suggests "an image set of a plurality of different user selectable predefined tables ... comprising a first table having a plurality of cells in a first predetermined, fixed user selectable cell arrangements and a second table having a plurality of cells in a different second predetermined, fixed user selectable cell arrangement, **said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable**" and thus cannot show "selecting one of the predefined tables" as in the present claimed invention. Rather, Figure 4 shows a single table from a web page pre-populated with data that, when a cursor is positioned over the icon may be

selected for import into the MICROSOFT EXCEL spreadsheet of Figure 5 (see page 4, paragraph [0028]). This is wholly unlike the present invention as claimed in claim 6.

With respect to claims 17, 18 and 21-23, the Office Action contends that MICROSOFT EXCEL 2002 discloses the features claimed in claims 17, 18 and 21-23. Applicants respectfully disagree. While MICROSOFT EXCEL 2002 allows a user to adjust the dimensions of a selected cell, the adjustment will also adjust the cells in every column or every row associated with the selected cell. Specifically, adjusting the width of a selected cell will adjust the width of cells in every row of the same column and adjusting the length of a selected cell will adjust the length of cells in every column of the same row. Thus, Gauthier alone or in combination with Roewer neither disclose nor suggest “adjusts only the width of cells in a single row of a cell arrangement having a plurality of rows” as claimed in claims 17 and 18. Furthermore, Gauthier and Roewer neither disclose nor suggest “adjusts a width of only cells in a same row as said selected cell or a length of only cells in a same column as said selected cell” as claimed in new claims 21-23. In addition, as discussed above with respect to claim 1, Gauthier alone or in combination with Roewer neither disclose nor suggest “said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as in the present claimed invention.

With respect to claims 14, 15 and 19, the Office Action cites Figure 5 of Gauthier as disclosing the features claimed in claims 14, 15 and 19. Applicants respectfully disagree. Specifically, Figure 5 merely shows the results of creating a Web Query in a MICROSOFT EXCEL 2002 spreadsheet with data displayed within cells. This is NOT a “predetermined, fixed user selectable cell arrangement” as in the present claimed invention. Furthermore, Gauthier when taken alone or in combination with Roewer neither disclose nor suggest “at least one of said plurality of predetermined, fixed user selectable cell arrangements includes a varying number of rows for each column in said cell arrangement” as in the present claimed invention. Rather, Gauthier

and Roewer describe the ability for the user to select only grid-like arrangements of frames for displaying images in a Web page. In addition, as discussed above with respect to claim 1, Gauthier alone or in combination with Roewer neither disclose nor suggest “said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as in the present claimed invention.

With respect to claims 2 and 20, the Office Action contends that Fig. 3, ref. 340 of Gauthier shows “the arrangement having a first row with a first number of columns and a second row with a different second number of columns”. Applicants respectfully disagree. Specifically, Fig 3, ref. 340 is a visual indication of which objects on the Web page are tabular data and can be used to set attributes such as color or font of the data. While the Office Action asserts that in Fig. 3, ref. 340 shows a first row having 5 columns and a second row having 7 columns, the display of a table with these characteristics is NOT a “data selection” having “predetermined, fixed user selectable cell arrangements” as claimed in the present invention. Similarly as discussed above with respect to claims 14, 15 and 19, Gauthier and Roewer neither disclose nor suggest “said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as in the present claimed invention. Rather, Gauthier and Roewer describe the ability for the user to select grid-like arrangements of frames for displaying images in a Web page. Furthermore, Gauthier alone or in combination with Roewer neither disclose nor suggest “said plurality of different user selectable cell arrangements include an arrangement having a first row with a first number of columns and a second row with a different second number of columns” as claimed in claims 2 and 20.

In view of the above remarks and amendments to claims 1 and 6, it is respectfully submitted that independent claims 1 and 6 are not made unpatentable by

Gauthier alone or in combination with Roewer. As claims 2, 4, 5, 14, 17, 19 and 20 are dependent on claim 1 and claims 7, 8, 15, 16 and 18 are dependent on claim 6, it is respectfully submitted that, in addition to the remarks presented herein above, these claims are also patentable for the reasons discussed above with respect to claim 1 and 6, respectively. It is further respectfully submitted that this rejection is satisfied and should be withdrawn.

**Rejection of Claim 3 under 35 USC§ 103(a)**

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gauthier et al. (U.S. Patent Application Publication 2002/0036662) in view of Roewer (U.S. Patent No. 5,734,915) and further in view of Kumagi (U.S. Patent No. 5,812,983).

Kumagi describes a method for integrating and displaying medical data in which a computer program links a flow sheet of a medical record to medial charts. The program determines the position of a cursor in the flow sheet, and interpolates or erases data in cells of the flow sheet as appropriate. However, similarly to Gauthier and Roewer, Kumagi neither discloses nor suggests “a single menu of a plurality of different user selectable data selections comprising a first predetermined, fixed user selectable cell arrangement for display in tabular format and a different second predetermined, fixed user selectable cell arrangement for display in tabular format, **said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable**” as claimed in claim 1 of the present invention. Kumagi is concerned with interpolating or erasing data in the cells of the flow sheet as appropriate. This is unlike the present claimed invention which is concerned with providing a plurality of a user selectable cell arrangements and displaying data therein.

The applicants respectfully submit that there is no reason or motivation to combine Gauthier, Roewer and Kumagi. Gauthier describes a system that allows a user to graphically create a refreshable Web Query by selecting tabular data displayed in a Web page and obtaining refreshable data from a Web page to import into a spreadsheet program. Roewer describes a method for composing digital medical imagery in which a graphical user interface which allows a user to edit and print a set of images presented. Kumagi describe a system concerned with interpolating or erasing data in the cells of the flow sheet as appropriate. Gauthier, Roewer and Kumagi are each directed towards completely different objectives and provide dissimilar solutions to meet their individual objectives and thus it is respectfully submitted that combining of these references to produce the present claimed invention would not be obvious.

In view of the above remarks and amendments to claim 1, it is respectfully submitted that independent claim 1 is not made unpatentable by Gauthier, Roewer and Kumagi when taken alone or in combination. As claim 3 is dependent on claim 1, it is respectfully submitted that, in addition to the above remarks, claim 3 is patentable for the same reasons as claim 1 discussed above. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

**Rejection of Claims 9-13 under 35 USC § 103(a)**

Claims 9-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gauthier et al. (U.S. Patent Application No. 2002/0036662) in view of Roewer (U.S. Patent No. 5,734,915) and further in view of Smith et al. (U.S. Patent No. 6,188,407).

The present invention as claimed in claim 9 provides a computerized method of displaying medical data. At least a first and second stream of real time medical data is obtained. A table is selected from a single menu of a plurality of different user selectable tables comprising a first table including multiple cells in a predetermined, fixed user selectable cell arrangement and a second table including multiple cells in a different second predetermined, fixed user selectable cell arrangement. The first and

second cell arrangements each has a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable. The selected table having multiple cells is displayed. A manual pointing device is manipulated to select a first cell within the table and the first data stream is inserted into the first cell. A manual pointing device is manipulated to select a second cell within the table and the second data stream is inserted into the second cell.

As discussed above, Gauthier when taken alone or in combination with Roewer neither disclose nor suggest “a single menu of a plurality of different user selectable tables, each comprising a first table including multiple cells in a predetermined, fixed user selectable cell arrangement and a second table including multiple cells in a different second predetermined, fixed user selectable arrangement, **said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable**” as in the present claimed invention.

As previously discussed in the response filed on January 9, 2006, according to the universally accepted definitions of the terms “cell” and “arrangement”, the menu of data selections of the present claimed invention provides a plurality of cells in a state of being put into a deliberate order or relation. The claimed “cell arrangement” thus has no relation to the data input into particular cells as asserted in the Office Action. Furthermore, Gauthier while providing a number of selectable menus neither discloses nor suggests a “selecting a table from a menu of a plurality of different user selectable tables” as in the present claimed invention. In Gauthier the user is always provided with the same single uniform cell arrangement or grid which may be manipulated thereafter by the user. This is clearly unlike the “tables” of the present claimed invention wherein “said first data table including multiple cells in a predetermined, fixed user selectable cell arrangement and said second table including multiple cells in a different predetermined, fixed user selectable cell arrangement”. Additionally,

MICROSOFT EXCEL, similarly to Gauthier neither discloses nor suggests the claimed arrangement. Rather, EXCEL only provides a single conventional spreadsheet each time a file is opened.

Roewer describes a method for composing digital medical imagery in which a graphical user interface allows a user to edit and print a set of images presented. The graphical user interface provides users a pull-down menu to select the number and arrangement of frames for displaying images. However, similarly to Gauthier, Roewer neither discloses nor suggests “a single menu of a plurality of different user selectable tables, each comprising a first table including multiple cells in a predetermined, fixed user selectable cell arrangement and a second table including multiple cells in a different second predetermined, fixed user selectable arrangement, said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as claimed in claim 9 of the present invention. Roewer is concerned with displaying multiple images using a plurality of frames in a **grid-like** arrangement. This is unlike the present claimed invention which is concerned with providing first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable.

Smith et al. describe a reconfigurable user interface for a modular patient monitor. The interface recognizes when new parameters are added or removed, automatically reconfigures the display and updates the menu selection options. However, similarly to Gauthier and Roewer, Smith neither discloses nor suggests “selecting a table from a single menu of a plurality of different user selectable tables comprising a first table including multiple cells in a predetermined, fixed user selectable cell arrangement and a second table including multiple cells in a different second predetermined, fixed user selectable arrangement, said first and second cell arrangements each having a user selectable number of cells per row and cells per

column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as claimed in claim 9 of the present invention. Smith is concerned with automatically reconfiguring a display upon addition or removal of data. This is wholly unlike and unrelated to the present claimed invention.

Additionally, contrary to the assertions of the Examiner, Smith neither discloses nor suggests “obtaining at least a first and second stream of real time medical data” as claimed in claim 9 of the present claimed invention. Rather, all that is shown in Figure 2, ref. 24 and the corresponding text of Smith is a display screen including an illustration of the menu field, flash box, alarms message field, waveform field, vital signs field, and help line.

Additionally, there is no reason or motivation to combine Gauthier with Roewer and/or Smith. Gauthier describes a method and system for creating refreshable web queries from tabular data displayed on a web page. Roewer describes a method for composing digital medical imagery in which a graphical user interface which allows a user to edit and print a set of images presented. Smith describes a system for automatically updating a previously generated display upon addition and deletion of data. While Gauthier, Roewer and Smith involve data, these references are responsive to different problems and thus it is respectfully submitted that the combination of these references to produce the present claimed invention would not be obvious. Gauthier involves making the creation of a “Web Query simpler and more intuitive for the average user” (page 2 [0009]). Roewer, on the other hand, provides “a graphic user interface for medical imagery...to provide increased speed and efficiency in imagery manipulation” (page 2, column 4, lines 35-44). Smith, provides “a reconfigurable user interface for a modular patient monitor which automatically adapts to a new configuration of parameter modules and parameters and displays the new parameters to the operator in a new display configuration” (page 2, lines 4-8).

Even if there was a motivation to combine these three references, the combination of the method and system of Gauthier with the systems described by Roewer and Smith as suggested in the Rejection results in a method for automatically refreshing web queries when image data in a table having user-specified boundaries was added or deleted the web page where the image data was imported from for editing the image data. The combination of Gauthier, Roewer and Smith neither discloses nor suggests “obtaining at least a first and second stream of real time medical data” as in the present claimed invention. Nor does the combined system result in one that provides for “selecting a table from a single menu of a plurality of different user selectable tables comprising a first table including multiple cells in a predetermined, fixed user selectable cell arrangement and a second table including multiple cells in a different second predetermined, fixed user selectable arrangement, said first and second cell arrangements each having a user selectable number of cells per row and cells per column, and the number of cells in each individual row is individually selectable and the number of cells in each individual column is individually selectable” as in the present claimed invention.

In view of the above remarks and amendments to the claims it is respectfully submitted that independent claim 9 is patentable over Gauthier, Roewer and Smith when taken alone or in combination. As claims 10-13 are dependent on claim 9 it is respectfully submitted that these claims are also allowable. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

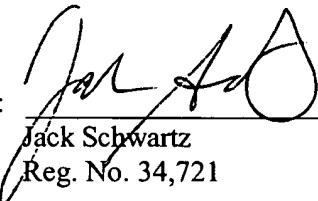
Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Serial No.: 10/004,239

2000P09063

Please charge the fee of \$150.00 for the three additional claims over the limit of twenty claims to Deposit Account 50-2828. No additional fee is believed due. However, if additional fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,  
William Buresh et al.

By:   
\_\_\_\_\_  
Jack Schwartz  
Reg. No. 34,721

Jack Schwartz & Associates  
1350 Broadway  
Suite 1510  
New York, New York 10018  
Tel. No. (212) 971-0416  
Fax No. (212) 971-0417  
June 23, 2006



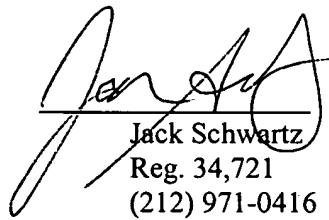
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2000P09063

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Jack Schwartz  
Reg. 34,721  
(212) 971-0416